

## **AGENDA**

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
(502) 875-8500**

**AUGUST 18, 2003  
5:00 P.M. (EST)**

**1. INVOCATION  
ROLL CALL  
MINUTES**

Alan Sorem, South Frankfort Presbyterian Church

July 21 Regular Meeting, August 4 Work Session & Special Meeting,  
August 13 Special Meeting

**MAYOR'S REPORT**

**2. CEREMONIAL ITEMS**

**2.1 Employee Recognition.**

Background: The Board of Commissioners traditionally recognizes City employees who have received promotions within the various City departments. At this meeting, Carter Northcutt will be recognized for his promotion to rank of Sergeant in the Fire Department, which was effective 8/1/03.

Attachments: None.

**2.2 Presentation by Donna Hecker, Citizens for Open Government.**

Background: Ms. Hecker, on behalf of the Citizens for Open Government, has requested to make a presentation to the Board of Commissioners concerning the future Merger Committee.

Attachments: None.

**3. ORDINANCES**

**3.1 An Ordinance Accepting a Portion of C. Michael Davenport Boulevard, a Portion of To Be Announced Avenue, and Diagnostic Drive as Public Streets.**

Purpose: The purpose of this item is to consider an ordinance to accept Diagnostic Drive, a portion of C. Michael Davenport Boulevard, and a portion of To Be Announced Boulevard in Prevention Park Development into the City street system for maintenance.

Background: This ordinance had its first reading July 21, 2003.

On 6/26/03, C. Michael Davenport requested that the City take over maintenance of the above listed streets within Prevention Park. The streets have been inspected by Public Works and meet the requirements of the subdivision regulations. Approval of the ordinance to accept these streets will complete the official action required for acceptance into the City street system.

Recommendation: Approval.

Attachments: Ordinance.  
Reference Map.

Contact Person  
Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
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3.2 An Ordinance Amending Ordinance No. 4, 1990 Series, and Frankfort Municipal Code Section 15.04.030 - Fees for Permits (Building).

Purpose: The purpose of this item is to amend the fee schedule within Ordinance #4, 1990 Series. The ordinance also provides for a penalty for beginning construction without the issuance of a building permit.

Background: This ordinance had its first reading July 21, 2003.

The last update to the City's fee schedule relating to permits was in 1990. Staff believes that it is appropriate and necessary to increase the permit fees to better reflect the cost to the City and to provide a penalty section which would require an applicant to pay three times the regular fee when they begin construction without first obtaining a building permit.

The proposed fee schedule was drafted 6/19/02; however, the City Manager at that time requested that while the amendment was justified, it should be postponed till next year.

The proposed fees are less or equal to those currently adopted by Franklin County. A comparison table has been provided.

Impact: An approval to support the proposed fee schedule amendment will better match the actual cost to the City for providing these services and should assist in the effort to reduce the number of structures built without a permit. (To reduce the "ask for forgiveness" syndrome.)

Recommendation: Approval.

Attachments: Ordinance.  
Fee comparison with Franklin County.

Contact Person  
Name: Gary Muller  
Title: Director  
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3.3 An Ordinance Amending Ordinance No. 5, 1990 Series, and Frankfort Municipal Code Section 15.16.150 - Inspection Fees (Electrical).

Purpose: The purpose of this item is to amend the fee schedule within Ordinance #5, 1990 Series.

Background: This ordinance had its first reading July 21, 2003.

The last update to the City's fee schedule relating to permits was in 1990. Staff believes that it is appropriate and necessary to increase the fees to better reflect the cost to the City. The

proposed fee schedule was drafted 6/19/02; however, the City Manager at that time requested that while the amendment was justified, it should be postponed till next year.

The proposed fees are less or equal to those currently adopted by Franklin County. A comparison table has been provided.

Impact: An approval to support the proposed fee schedule amendment will better match the actual cost to the City for providing these services.

Recommendation: Approval.

Attachments: Ordinance.  
Fee comparison with Franklin County.

Contact Person  
Name: Gary Muller  
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3.4 An Ordinance Amending Frankfort/Franklin County Zoning District Regulations, Article 3, Section 3.01 Definitions and Article 4, Section 4.05 Table of Permitted Uses and Section 4.06 Noted Special Conditions.

Purpose: The purpose of this item is to update the Zoning Ordinance by making it consistent with new legislation concerning manufactured homes.

Background: During the 2002 session of the Kentucky General Assembly, several amendments were made to the Kentucky Revised Statutes, Chapter 100. More specifically, several definitions and compatibility standards relating to manufactured homes were approved and became effective on 7/1/03.

The proposed definitions to the City of Frankfort Zoning Ordinance are consistent with the amendments to KRS Chapter 100, as indicated. The definition of "Manufactured Home" KRS 100.348 (2) (c) will replace the existing definition of "Mobile Home or Manufactured Home" and the definition of "Qualified Manufactured Home" KRS 100.348 (2) (d) will replace the existing definition of "Modular Home". The definition of "Mobile Home", as per KRS, will be added to Article 3.01. The existing definition of "single-family dwelling" has been modified to include the addition of the proposed compatibility standards. To further clarify Manufactured Home Parks and Subdivisions, staff is also recommending the addition of these definitions not currently defined in the zoning ordinance.

The Planning Commission approved the proposed ordinance amendment and adopted the staff report as the "Summary of Findings." Furthermore, there was no one in the audience at the meeting for or against the proposed amended ordinance. The motion to support the ordinance amendment and recommend the City Commission to approve the ordinance was unanimous.

The information contained within this proposed amendment was obtained from the Kentucky Revised Statutes and the Kentucky Manufactured Housing Institute.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Gary Muller  
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E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

3.5 An Ordinance Fixing the Rate of Taxation for the Year 2004 on All Motor Vehicles and Levying Said Tax for All City Purposes.

Purpose: The purpose of this item is to consider an ordinance to set tax rate for motor vehicles for the year 2004 at 22.7 cents per \$100.00 valuation.

Background: The tax rate must be set no later than 10/1/03, as required by the Kentucky Department of Revenue. The tax rate proposed for 2004 is the same rate as approved for 2003.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: James C. Rogers  
Title: Director  
Department: Finance  
Phone: (502) 875-8505  
E-mail: [Jrogers@fewpb.com](mailto:Jrogers@fewpb.com)

3.6 An Ordinance Amending Frankfort Municipal Code Chapter 15.24, Ordinance No. 14, 1999 Series, and Ordinance No. 24, 2001 Series, Property Maintenance Code.

Purpose: The purpose of this text amendment is to amend several sections of the Property Maintenance Code in order to better reflect the current acceptable standards of vacant properties, to amend the fine table, to reduce number of citations issued for repeat violators, to clarify that a public nuisance constitutes a violation, and to define a failure to comply with a board order as a separate violation.

Background: On 7/21/03, the City Commission requested staff to present recommended code changes to the Property Maintenance Code during the 8/4/03 Commission work session. During the work session, it was agreed that the draft ordinance would be added to the 8/18/03 regular Commission meeting.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Gary Muller  
Title: Director  
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3.7 An Ordinance Amending Ordinance No. 8, 2003 Series, and Frankfort Municipal Code Section 2.93.050 Bi-Weekly Rates (Salary Ordinance).

Purpose : The purpose of this item is to consider establishing the position of Deputy Finance Director/Purchasing Agent and deleting the Purchasing Agent and Financial Operations Coordinator positions.

Background : Since April 2003, the duties of the Purchasing Agent have been assumed by the Finance Department.

Many of the duties related to purchasing have to constantly be monitored by Finance, such as tracking purchase orders, maintenance of accounts payable and inventory control. Tighter internal controls can be exercised if both of the duties are merged into one function. It will provide a financial benefit for the City of Frankfort and also make the purchasing process more centralized, therefore, more efficient.

Financial Analysis: Result in a financial savings of \$34,600.

Contact Person

Name: James C. Rogers  
Title: Director  
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Phone: (502) 875-8505  
E-mail: Jrogers@fewpb.com

**4. ORDERS**

None.

**5. RESOLUTIONS**

5.1 A Resolution Authorizing the Filing of an Application for 2003 Renaissance Kentucky/Main Street Downtown Revitalization Grant and Designating the Mayor to Execute All Grant Documents Pertaining to this Application between the City of Frankfort, Renaissance Kentucky and Downtown Frankfort, Inc.

Purpose: The purpose of this item is to consider a resolution authorizing the filing of a grant application for 2003 Downtown Revitalization Funds under the Renaissance Kentucky Program. Application must be submitted as a collaborative effort between the City of Frankfort and Downtown Frankfort, Inc.

Background: The 2003 session of the Kentucky General Assembly authorized bonds for the Renaissance Kentucky/Main Street initiative. Of the authorized amount, \$2 million will be appropriated through a competitive grant process. Eligible applicants are those communities classified at the Gold or Silver level that have a local Renaissance Kentucky/Main Street manager in place.

Cities may apply for up to \$250,000. Projects must serve a community need and provide a minimum useful life of 20 years. The program emphasis is to provide true economic development impact in downtown revitalization. Projects that are ready to proceed are more likely to receive funding. Funds must be completely drawn within 24 months. The Board of Commissioners and local Renaissance/Main Street Committee must provide written endorsement of the project. Projects must be located in the designated Renaissance area and address one of the community's top five Renaissance Kentucky/Main Street priorities.

On 8/4/03, Sheila White of Downtown Frankfort, Inc. requested the City to support and apply for the recommended grant and project (Save The Grand). The project should meet the criteria, and if phased, can meet the 24-month completion time frame. Phase I would be strictly acquisition of the Grand Theatre building(s). The application would need to identify the time line in Phase II, which would include construction and renovation.

Approval of this proposal and submission of the Renaissance Downtown Revitalization application will enable Save the Grand Theatre, Inc., to purchase the Grand Theatre building. This is a major step in project development. Financial impact is the staff hours related in completing the application. This grant is a non-matching grant.

Recommendation: Approval.

Attachments: Resolution.

Contact Person

Name:	Gary Muller	Ramona Newman
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## 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

### 6.1 Bid Award - Self Contained Leaf Vacuums (Public Works Department).

Purpose: The purpose of this item is to consider a bid award to The ODB Company for the purchase of three (3) Self Contained Leaf Vacuums.

Background: On 8/11/03, the City received three bids for self contained leaf vacuums ranging from \$22,900 each to \$24,161 each as shown on the attached bid tabulation. The delivery time from The ODB Company is 90-120 days. The ODB Company's bid price was the higher of the two bids meeting all required specifications but was selected as the best bid since it provided a 20% discount on parts. The lowest bid was eliminated as it did not meet the specifications. The remaining bid was \$61 lower per unit, but did not offer a discount for repair parts.

Delivery time is of the essence since leaf season typically starts in October. The three self contained leaf vacuums will replace three late model leaf trucks and leaf vacuums, thus saving costly maintenance required by the older equipment.

Financial Analysis: Funds are allocated in the Street Department Equipment Account (110-62-56550) for the three Leaf Vacuums.

Recommendation: Approval.

Attachments: Bid Tabulation.

Contact Person:

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6.2 Authorization for Payment to University of Kentucky for Archaeological Survey for Frankfort Research & Office Park (Public Works Department).

Purpose: The purpose of this item is to consider allocation of funds to pay an unbudgeted expenditure for archaeological survey for the Research & Office Park.

Background: The University of Kentucky conducted a Phase 1 archeological survey of the Research & Office Park at the request of the City. A designated area east of the Commonwealth Credit Union site was documented in this report as a prehistoric site. Upon developing this tract of land, the City requested that the width of the preservation easement be reduced by 35'. The Kentucky Archeological Survey team investigated the 35' strip of land and approved the narrower easement. The invoice for the survey was not received until 8/1/03, after the project funds were closed out. The invoice is in the amount of \$3,000.

Financial Analysis: Funds are available in the Reserve for Contingency Account (100-95-53295) for this unbudgeted expenditure in the amount of \$3,000.

Recommendation: Approval.

Attachments: Letter to Kentucky Archaeological Survey.  
Invoice dated 7/28/03.

Contact Person

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6.3 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Appointment	Mark A. Traylor Michael W. Felty	Fire	9/2/03	Firefighter
Promotion	Allan Burris	Public Works Street Division	8/19/03	from position of Equipment Operator II to position of Street Superintendent
Retirement	James Harley	Public Works Sanitation	8/29/03	Foreman, Authorize payment 63.5 hrs. vacation leave

Attachments: None.

Contact Person:  
Name: Gary Muller

Title: Acting City Manager  
Department: City Manager  
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E-Mail: Gmuller@fewpb.com

## **7. BOARD APPOINTMENTS**

## **8. OLD BUSINESS**

### **8.1 Extension of Continuing Engineering Services Agreement with PEH Engineers/Strand Associates for Engineering Services related to the CSO Long Term Control Plan (Sewer Department).**

Purpose: The purpose of this item is to consider a contract extension with PEH Engineers/Strand Associates for a term of three years to continue with the development and implementation of the Combined Sewer Overflow Long Term Control Plan (CSO LTCP). U.S. EPA and the Kentucky Division of Water mandate this plan. This contract will also be utilized to evaluate mitigation and elimination alternatives for the Combined Sewers.

Background: In September 2001, the City of Frankfort awarded a contract to PEH Engineers/Strand Associates for engineering services and associated services in support of the Sewer Department's Combined Sewer Overflow Long Term Control Plan. This contract has been renewed annually and expired on 6/30/03. This is a renewal for three years, expiring on 9/30/06, with a contract increase of \$50,000.

Financial Analysis: Funds are available in account 300.68.56550.

Recommendation: Approval.

Attachments: Continuing Engineering Services Agreement.

#### **Contact Person**

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: (502) 875-2448  
Email: wscalf@fewpb.com

## **9. NEW BUSINESS**

### **9.1 Request for Qualifications (RFQ) for Architectural Services for Police, Communications and EOC Facilities.**

Purpose: The purpose of this item is to consider authorization to solicit Request for Qualifications (RFQ) for retaining Architectural Services to study the needs for Police, Communications and EOC Facilities.

Background: During the budget review process in May, 2003, the Board of Commissioners requested that an RFQ be prepared for architectural services concerning either one or multiple buildings for the Police, 911 Communications Center, and EOC facilities. The advertising for the RFQ is within the City's budget; however, the hiring of an architect and the construction related to the services to be provided by the architect are not funded.

Recommendation: Approval.



Attachments: Request for Qualifications.

Contact Person

Name: Gary Muller  
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Department: City Manager  
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**10. CITIZEN COMMENTS (Non-agenda items)**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**